

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

UNITED STATES OF AMERICA §
 §
v. § Crim. No. 1:01-cr-00031-MAC-CLS
 §
JOSEPH FRANKLIN SMITH §

**GOVERNMENT'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO
FILE RESPONSE TO DEFENDANT JOSEPH FRANKLIN SMITH'S
MOTION FOR SENTENCE REDUCTION UNDER 18 U.S.C. § 3582(c)(1)(A)**

On July 25, 2024, Defendant Joseph Franklin Smith filed a motion for sentence reduction under 18 U.S.C. § 3582(c)(1)(A) (doc. 248). On September 18, 2024, the undersigned attorney for the government learned of this case, that the government had not previously filed a response, and that the Court had allowed until in or around September 30, 2024, for the government to file a response to the motion.

The undersigned has prepared a draft response and discussed the merits of the relief requested in the motion with counsel for Smith and with relevant decisionmakers within the U.S. Attorney's Office. The government would like to consider the matter further, however, and potentially have further discussions with counsel for Smith before filing its response.

Accordingly, the government respectfully requests a 10-day extension of time, up to and including October 10, 2024, to file an appropriate response to Smith's motion for compassionate release.

Respectfully submitted,

Damien M. Diggs
United States Attorney
Eastern District of Texas

/s/ Bradley Visosky

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Certificate of Service

I certify that on September 30, 2024, a copy of this motion will be sent to counsel for Mr. Smith through use of the Court's CM/ECF system.

/s/ Bradley Visosky
Bradley Visosky

Certificate of Conference

I certify that on September 27 and 30, 2024, the undersigned conferred with Steven Tegrar, counsel for Mr. Smith, about the relief requested in this motion, and he is unopposed.

/s/ Bradley Visosky
Bradley Visosky